

REMARKS

The present application is a continued prosecution application under 37 CFR § 1.53(d) of U.S. application no. 08/848,243. A Request for Continued Prosecution Application (CPA) is being filed concurrently herewith.

The claims now pending in the present application are Claims 1 to 12, the independent claims being Claims 1 and 9. Claims 1 and 9 have been amended herein. Claims 13 to 45 have been cancelled.

In this regard, Claims 13 to 45 previously were withdrawn from consideration pursuant to a restriction requirement, and therefore have been cancelled herein. Applicant retains all rights to the subject matter of cancelled Claims 13 to 45, including the right to file one or more divisional applications directed to the subject matter recited therein.

In the Official Action dated October 12, 2000, in the parent application, Claims 1 to 8 were rejected under 35 U.S.C. § 103(a), as unpatentable over U.S. Patent No. 5,047,847 (Toda).

On March 12, 2001, Applicant filed an Amendment After Final Rejection, including proposed amendments to

independent Claims 1 and 9; the Amendment was made of record on March 19, 2001.

Applicant is in receipt of an Official Communication/Advisory Action mailed October 10, 2001, in response to the Amendment filed March 12, 2001. In that Action, the Examiner maintained the rejection of Claims 1 to 12, as amended in the Amendment filed March 19, 2001, over the Toda '847 patent.

Reconsideration and withdrawal of the rejection respectfully are requested in view of the above amendments and the following remarks.

The present invention relates to a novel camera comprising a physical element that can change a light transmission factor throughout the physical element. Claims 1 and 9 have been amended herein more clearly to recite various novel features of the present invention; in particular, the independent claims have been amended to recite more clearly features relating to a camera which corrects the change of a light transmission factor, which is induced throughout the whole (entire) of a physical element (see, Figure 44 of the cited Toda '847 patent).

Applicant submits that the prior art fails to anticipate the present invention. Moreover, Applicant

submits that there are differences between the subject matter sought to be patented in the prior art, such that the subject matter taken as a whole would not have been obvious at the time the invention was made to one of ordinary skill in the art. Specifically, Applicant submits that the cited art fails to disclose or suggest at least the above-discussed features of the present invention.

For the above reasons, Applicant submits that independent Claims 1 and 9 are allowable over the prior art of record.

Claims 2 to 8 and 10 to 12 depend from Claims 1 and 9, respectively, and are believed allowable for the same reasons. Moreover, each of these dependent claims recites additional features in combination with the features of its respective base claim, and is believed allowable in its own right. Individual consideration of the dependent claims respectfully is requested.

Applicant submits that the present continued prosecution application is in condition for allowance. Favorable consideration of the claims and passage to issue of the present application at the Examiner's earliest convenience earnestly are solicited.

Applicant's attorney may be reached in our
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correspondence should be directed to our address listed
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Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE CLAIMS

1. (Eight Times Amended) A camera comprising:

a physical element [,arranged in a photographing optical system having] that can change light transmission factor [and a light transmission amount at least one of which is changeable] throughout said physical element;

photoelectric conversion means for receiving an optical image transmitted through said physical element at a position of an imaging plane, and for converting the optical image into an electrical image signal;

memory means for storing a plurality of correcting information for correcting a change in [a spectrum] an optical characteristic of said physical element [, caused by] with respect to a change of [at least one] the light transmission factor [and the light transmission amount of] throughout said physical element; and

correction means [for reading out from said memory means the correcting information corresponding to at least one of the light transmission factor and the light transmission amount of said physical element, according to the electrical image

signal output from said photoelectric conversion means, and] for correcting the change in the [spectrum] optical characteristic of the physical element in accordance with the correcting information read out from said memory means corresponding to the light transmission factor throughout said physical element.

9. (Eight Times Amended) A camera comprising:

a physical element [,arranged in a photographing optical system having] that can change a light transmission factor [and a light transmission amount at least one of which is changeable non-mechanically] throughout said physical element;

photoelectric conversion means for receiving an optical image transmitted through said physical element at a position of an imaging plane, for converting the optical image into an electrical image signal, and capable of adjusting at least one of a light accumulation time and a sensitivity;

memory means for storing a plurality of correcting information for correcting a change in [a spectrum] an optical characteristic of said physical element [,caused by] with respect to a change of [at least one] the light transmission factor [and the light transmission amount of] throughout said physical element;

correcting means [for reading out from said memory means the correcting information which corresponds to at least one of the light transmission factor and the light transmission amount of said physical element, according to the electrical image signal output from said photoelectric conversion means, and] for correcting the change in the [spectrum] optical characteristic of the physical element in accordance with the correcting information read out from said memory means corresponding to the light transmission factor throughout said physical element; and

exposure amount adjustment means for controlling an exposure amount by a combination of adjusting at least one of the light transmission factor and the light transmission amount of said physical element the change of whose characteristics is corrected by said correcting means, and at least one of the light accumulation time and the sensitivity of said photoelectric conversion means.

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